

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY Sp D.C.

05 MAY 31 AM 9:08

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W. D. OF TN JACKSON

WILLIAM JOHNSON,

Plaintiff,

VS.

DONAL CAMPBELL, et al.,

Defendants.

No. 03-1037-T-An

ORDER GRANTING MOTION FOR EXTENSION OF TIME IN WHICH
TO FILE MOTION FOR SUMMARY JUDGMENT
AND ORDER CONTINUING TRIAL DATE

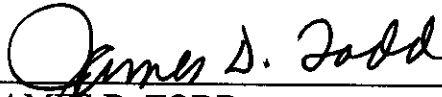
Defendants Fred Raney and Donal Campbell have moved the court to extend the time in which to file their motion for summary judgment, due to defense counsel's heavy litigation schedule. Defendants filed their motion on May 9, 2005, which is less than forty-five days prior to the trial date of June 8, 2005.¹ For good cause shown, Defendants' motion for extension of time is GRANTED.

Defendants are in error, however, in asserting that allowing an extension of time will not delay trial. Plaintiff's time in which to respond to Defendants' motion for summary judgment does not expire until after the trial date. Consequently, the trial date must be continued. Accordingly, the trial of this matter which is set for June 8, 2005, is hereby

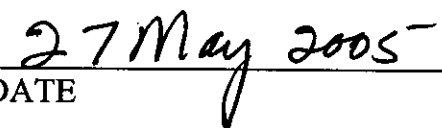
¹ Local Rule 7.2(d)(1) requires motions for summary judgment to be filed at least forty-five days before trial, unless the scheduling order requires an earlier filing date.

CONTINUED and will be re-set at a later date.

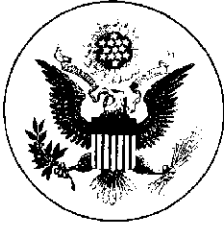
IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 57 in case 1:03-CV-01037 was distributed by fax, mail, or direct printing on May 31, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT